



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/748,735

12/30/2003

Raul Salvi

SC12575TS/46-049

7542

51894

7590

09/05/2008

LAW OFFICE OF CHARLES W. BETHARDS, LLP  
P.O. BOX 1622  
COLLEYVILLE, TX 76034

EXAMINER

TRAN, PABLO N

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

09/05/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



## **DETAILED ACTION**

### ***Election/Restrictions***

- 1 The restriction requirement, as set forth in the Office action mailed on 10/04/07, has been reconsidered and is hereby withdrawn. Claims 1-17 are pending.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-4, 6, 11-12, 15, and 17 are rejected under 35 U.S.C. 102(e) as being anticipate by Plymale, SR. et al. (hereinafter "Plymale", US Pat. No. 2004/0080441).

As per claim 1, Plymale disclosed a signal generation power management control system for use in a portable communications device comprising a digital signal processor (fig. 3/no. 303) for processing a digital source input and providing a digital processed bit stream; a digital-to-analog converter (fig. 3/no. 309) for converting the digital processed bit stream and providing at least one analog signal; and a power management controller within the DSP for interpreting a plurality of control parameters

Art Unit: 2618

and dynamically adjusting a bias current used by the DAC based on minimal signal requirements of the at least one analog signal [0023-0025, 0029-0033].

As per claim 3, Plymale disclosed at least one DAC filter (fig. 3/no. 315).

As per claim 4, Plymale disclosed a mixer (fig. 3/no. 317) for providing an intermediate frequency (IF) signal from the at least one analog signal; and a power amplifier for amplifying the IF signal from the mixer [0021].

As per claim 6, Plymale disclosed the IF signal operates at radio frequency [0023-0025, 0029-0033].

As per claims 11 and 17, Plymale disclosed a method for managing power to a communications system having at least one digital-to-analog converter (fig. 3/no. 309) comprising the steps of initializing the components used within a portable communications system; receiving an incoming digital input stream at a digital signal processor (fig. 3/no. 303); determining the digital multiple access protocol (MA) used in the digital input stream; generating a processed digital signal from the DSP; converting the processed digital signal to an analog signal using a DAC; and controlling a supply bias used by the DAC based upon the MA, noise requirements and intermodulation requirements of the portable communications system [0023-0025, 0029-0033].

As per claim 12, Plymale disclose the supply bias is controlled by a power management controller in the DSP (fig. 3).

As per claim 15, Plymale the DAC is in an audio processing system [0023-0025, 0029-0033].

***Allowable Subject Matter***

4. Claims 2, 5, and 13-14, and 16 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. Claims 7-10 are allowed.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (571)272-7898. The examiner normal hours are 9:30 -5:00 (Monday-Friday). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571)272-7899. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.
7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) System. Status information for Published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-directauspto.gov>. Should You have questions on access to the Private PAIR system, contact the Electronic

Application/Control Number: 10/748,735

Page 5

Art Unit: 2618

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (in USA or CANADA) or 571-272-1000.

August 31, 2008

/Pablo N Tran/

Primary Examiner, Art Unit 2618